



भारत का राजपत्र The Gazette of India

असाधारण
EXTRAORDINARY

भाग II—खण्ड 2
PART II—Section 2

प्राधिकार से प्रकाशित
PUBLISHED BY AUTHORITY

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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।
Separate paging is given to this Part in order that it may be filed
as a separate compilation.

LOK SABHA

The following Bills were introduced in Lok Sabha on the 10th January, 1991:—

BILL NO. 5 OF 1991

A Bill to provide for the regulation of production, supply and distribution of infant milk foods, feeding bottles and infant foods with a view to the production and promotion of breast-feeding and ensuring the proper use of infant foods and for matters connected therewith or incidental thereto.

BE it enacted by Parliament in the Forty-first Year of the Republic of India as follows:—

1. (1) This Act may be called the Infant Milk Foods, Feeding Bottles and Infant Foods (Regulation of Production, Supply and Distribution) Act, 1991.

(2) It extends to the whole of India.

(3) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

2. (2) In this Act, unless the context otherwise requires,—

(a) “advertisement” includes any notice, circular, label, wrapper and other documents and also includes any visible representation or announcement made by means of any light, sound, smoke or gas;

(b) “container” means a box, bottle, casket, tin, can, barrel, case, tube, receptacle, sack, wrapper or other thing in which any

Short
title,
extent
and com-
mence-
ment.

Defini-
tions

infant milk food, feeding bottle or infant food is placed or packed for sale or distribution;

(c) "feeding bottle" means any bottle or receptacle used for the purpose of feeding infant milk foods, and includes a teat and a valve attached or capable of being attached to such bottle or receptacle;

(d) "health care system" means an institution or organisation engaged, either directly or indirectly, in health care for mothers, infants or pregnant women, and includes a health worker in private practice, but does not include a pharmacy or drug store;

(e) "health worker" means a person engaged in health care for mothers, infants or pregnant women;

(f) "infant food" means any food (by whatever name called) being marketed or otherwise represented as a complement to mother's milk to meet the growing nutritional needs of the infant after the age of four months;

(g) "infant milk food" means any food being marketed or otherwise represented as a partial or total replacement for mother's milk, whether or not it is suitable for such replacement;

(h) "label" means a display of written, marked, stamped, printed or graphic matter affixed to, or appearing upon, any container;

(i) "prescribed" means prescribed by rules made under this Act.

(2) Any reference in this Act to any other enactment or any provision thereof, shall, in relation to an area in which such enactment or such provision is not in force, be construed as a reference to the corresponding law or the relevant provision of the corresponding law, if any, in force in that area.

Certain prohibitions in relation to infant milk foods, feeding bottles and infant foods.

3. No person shall—

(a) advertise, or take part in the publication of any advertisement, for the distribution, sale or supply of infant milk foods or feeding bottles; or

(b) give an impression or create a belief in any manner that feeding of infant milk foods is equivalent to, or better than, mother's milk; or

(c) take part in the promotion of use or sale of infant milk foods or feeding bottles or infant foods otherwise than in accordance with the provisions of this Act.

Prohibition of incentives for the use or sale of infant milk foods or feeding bottles.

4. No person shall—

(a) supply or distribute samples of infant milk foods or feeding bottles or gifts of utensils or other articles; or

(b) contact any pregnant woman or the mother of an infant; or

(c) offer inducement of any other kind,

for the purpose of promoting the use or sale of infant milk foods or feeding bottles.

5. Subject to the provisions of sub-section (4) of section 8, on person shall donate or distribute—

(a) infant milk foods or feeding bottles to any other person except to an orphanage;

(b) any informational or educational equipment or material relating to infant milk foods or feeding bottles;

Provided that nothing in this clause shall apply to the donation or distribution, subject to such conditions and restrictions as may be prescribed, of such equipment or material through the health care system.

Donations of infant milk foods or feeding bottles or equipment or materials relating thereto.

37 of 1954.

6. (1) Without prejudice to the provisions of the Prevention of Food Adulteration Act, 1954 and the rules made thereunder, no person shall produce, supply, or distribute any infant milk food or infant food unless every container thereof or any label affixed thereto indicates in a clear, conspicuous and in an easily readable and understandable manner; the words "important notice" in capital letters in such language as may be prescribed, and indicating thereunder the following particulars in the same language, namely:—

Information on containers and labels of infant milk foods or infant foods.

(a) a statement "mother's milk is best for your baby" in capital letters;

(b) a statement that infant milk food or infant food should be used only on the advice of a health worker as to the need for its use and the proper method of its use;

(c) a warning that infant milk food or infant food is not the sole source of nourishment of an infant;

(d) the instructions for its appropriate preparation and a warning against the health hazards of its inappropriate preparation;

(e) the ingredients used;

(f) the composition or analysis;

(g) the storage conditions required;

(h) the batch number, date of its manufacture and the date before which it is to be consumed taking into account the climatic and storage conditions of the country;

(i) such other particulars as may be prescribed.

(2) No container or label referred to in sub-section (1) relating to infant milk food shall—

(a) have pictures of an infant or a woman or both; or

(b) have pictures or other graphic material or phrases designed to increase the saleability of infant milk food; or

(c) use on it the word "humanised" or "maternalised" or any other similar word; or

(d) bear on it such other particulars as may be prescribed,

Educational and other materials relating to feeding of infants to contain certain particulars.

7. (1) Every educational or other material, whether audio or visual, dealing with pre-natal or post-natal care or with the feeding of an infant and intended to reach pregnant women or mothers of infants shall include clear information on—

- (a) the benefits and superiority of breast-feeding;
- (b) the preparation for, and the continuance of, breast-feeding;
- (c) the harmful effects on breast-feeding due to the partial adoption of bottle feeding;
- (d) the difficulties in reverting to breast-feeding of infants after a period of feeding by infant milk food;
- (e) the financial and social implications in making use of infant milk foods and feeding bottles;
- (f) the health hazards of improper use of infant milk foods and feeding bottles;
- (g) such other matters as may be prescribed.

(2) No material referred to in sub-section (1) shall be utilised to promote the use or sale of infant milk foods or feeding bottles.

Health care system.

8. (1) No person shall use any health care system for the display of placards or posters relating to, or for the distribution of, materials for the purpose of promoting the use or sale of infant milk foods or feeding bottles or infant foods:

Provided that the provisions of this sub-section shall not apply to—

- (a) the donation or distribution of informational or educational equipment or material made in accordance with the proviso to clause (b) of section 5; and

- (b) the dissemination of information to a health worker about the scientific and factual matters relating to the use of infant milk foods or feeding bottles or infant foods along with the information specified in sub-section (1) of section 7.

(2) No person who produces, supplies, distributes or sells infant milk foods or feeding bottles or infant foods shall make any payment to any person who works in the health care system for the purpose of promoting the use or sale of such foods or bottles.

(3) No person, other than a health worker, shall demonstrate feeding with infant milk foods or infant foods to a mother of an infant or to any member of her family and such health worker shall also clearly explain to such mother or such other member the hazards of improper use of infant milk foods or feeding bottles or infant foods.

(4) No person, other than an institution or organisation, engaged in health care for mothers, infants or pregnant women, shall distribute infant milk foods or feeding bottles to a mother who cannot resort to breast-feeding and who cannot afford to purchase infant milk foods or feeding bottles.

(5) An orphanage may purchase infant milk foods or feeding bottles at a price lower than their sale price for the purpose of utilising them in the said orphanage.

Explanation.—For the purposes of this sub-section such purchases shall not amount to an inducement for promoting the use or sale of infant milk foods or feeding bottles.

9. (1) No person who produces, supplies, distributes or sells infant milk foods or feeding bottles or infant foods shall offer or give, directly or indirectly, any financial inducements or gifts to a health worker or to any member of his family for the purpose of promoting the use of such foods or bottles.

Inducement to health worker for promoting use of infant milk foods, etc.

(2) Where such person makes any contribution to, or incurs any expenditure on, a health worker, either directly or indirectly, such person and such health worker shall disclose the same to the institution or organisation to which such health worker is attached.

10. (1) No person who produces, supplies, distributes or sells infant milk foods or feeding bottles or infant foods shall fix the remuneration of any of his employees or give any commission to such employees on the basis of the volume of sale of such foods or bottles made by such employees.

Special provision relating to employees of person who produces, supplies, distributes or sells infant milk foods, etc.

(2) The employees of such person shall not perform any function which relates to educating a pregnant woman or mother of an infant on pre-natal or post-natal care of the infant.

11. (1) No person shall sell or otherwise distribute any infant milk food or infant food unless it conforms to the standards, specified for such food under the Prevention of Food Adulteration Act, 1954, and the rules made thereunder and the container thereof has the relevant Standard Mark specified by the Bureau of Indian Standards established under section 3 of the Bureau of Indian Standards Act, 1986 to indicate that the infant milk food or infant food conforms to such standards:

Standards of infant milk food, feeding bottles or infant foods.

Provided that where no standards have been specified for any infant milk food or infant food under the Prevention of Food Adulteration Act, 1954, no person shall sell or otherwise distribute such food unless he has obtained the approval of the Central Government in relation to such food and the label affixed to the container thereof under the rules made under that Act.

(2) No person shall sell or otherwise distribute any feeding bottle unless it conforms to the Standard Mark specified by the Bureau of Indian Standards referred to in sub-section (1) for feeding bottles and such mark is affixed on its container.

12. (1) Any food inspector appointed under section 9 of the Prevention of Food Adulteration Act, 1954 (hereinafter referred to as the food inspector) or any officer not below the rank of a Class I officer authorised in this behalf by the State Government (hereinafter referred to as the authorised officer) may, if he has any reason to believe that any provision of section 6 or section 11 has been or is being contravened, enter and search at any reasonable time any factory, building, business premises or any other place where any trade or com-

Powers of entry and search.

merge in infant milk foods or feeding or infant foods is carried on or such foods or bottles are produced, supplied or distributed,

(2) The provisions of the Code of Criminal Procedure, 1973, relating to searches and seizures shall, so far as may be, apply to every search or seizure made under this Act.

2 of 1974.

Power
to seize
infant
milk
foods, etc.,
or con-
tainers
thereof.

13. (1) If any food inspector or authorised officer has reason to believe that in respect of any infant milk food or feeding bottle or infant food or container thereof, the provisions of this Act have been or are being contravened, he may seize such food or bottle or container.

(2) No such food or bottle or container shall be retained by any food inspector or authorised officer for a period exceeding ninety days from the date of its seizure unless the approval of the District Judge within the local limits of whose jurisdiction such seizure has been made, has been obtained for such retention.

Confisca-
tion.

14. Any infant milk food or feeding bottle or infant food or container thereof, in respect of which any provision of this Act has been or is being contravened, shall be liable to confiscation:

Provided that where it is established to the satisfaction of the court adjudging the confiscation that the person in whose possession, power or control any such food or bottle or container is found is not responsible for the contravention of the provisions of this Act, the court may, instead of making an order for the confiscation of such food or bottle or container, make such other order authorised by this Act against the person guilty of the breach of the provisions of this Act as it may think fit.

Power
to give
option to
pay cost
in lieu of
confis-
cation.

15. (1) Whenever any confiscation is authorised by this Act, the court adjudging it may, subject to such conditions as may be specified in the order adjudging the confiscation, give to the owner thereof an option to pay in lieu of confiscation such cost not exceeding the value of the infant milk food or feeding bottle or infant food or container thereof in respect of which the confiscation is authorised as the court thinks fit.

(2) On payment of the cost ordered by the court the seized infant milk food or feeding bottle or infant food or container shall be returned to the person from whom it was seized on the condition that such person shall, before making any distribution, sale or supply of such food, bottle or container, give effect to the provisions of this Act.

Confis-
cation
not to
interfere
with
other
punish-
ments.
Adjudi-
cation.

16. No confiscation made or cost ordered to be paid under this Act shall prevent the infliction of any punishment to which the person affected thereby is liable under the provisions of this Act or under any other law.

17. Any confiscation may be adjudged or costs may be ordered to be paid,—

(a) without any limit, by the principal civil court of original jurisdiction within the local limits of whose jurisdiction such confiscation has been made or costs have been ordered to be paid, as the case may be;

(b) subject to such limits, as may be specified by the Central Government in this behalf, by such other court, not below a civil court having pecuniary jurisdiction exceeding five thousand rupees, as the Central Government may, by notification in the Official Gazette, authorise in this behalf.

18. (1) No order adjudicating confiscation or, directing payment of costs shall be made unless the owner of the infant milk food or feeding bottle or infant food or container thereof has been given a notice in writing informing him of the grounds on which it is proposed to confiscate such food or bottle or container and giving him a reasonable opportunity of making a representation in writing within such reasonable time as may be specified in the notice against the confiscation and if he so desires, of being heard in the matter:

Giving of opportunity to the owner of the seized infant milk food, feeding bottle or infant food or container thereof,

Provided that where no such notice is given within a period of ninety days from the date of the seizure of the infant milk food or feeding bottle or infant food or container thereof, such food or bottle or container shall be returned after the expiry of that period to the person from whose possession it was seized.

(2) Save as otherwise provided in sub-section (1), the provisions of the Code of Civil Procedure, 1908, shall, so far as may be, apply to every proceeding referred to in sub-section (1).

5 of 1908.

19. (1) Any person aggrieved by any decision of the court adjudicating a confiscation or ordering the payment of costs may prefer an appeal to the court to which an appeal lies from the decision of such court.

Appeal.

(2) The appellate court may, after giving the appellant an opportunity of being heard, pass such order as it thinks fit confirming, modifying or revising the decision or order appealed against or may send back the case with such directions as it may think fit for a fresh decision or adjudication, as the case may be, after taking additional evidence if necessary:

Provided that an order enhancing any fine in lieu of confiscation or for confiscating goods of greater value shall not be made under this section unless the appellant has had an opportunity of making a representation and if he so desires of being heard in his defence.

(3) No further appeal shall lie against the order of the court made under sub-section (2).

20. (1) Any person who contravenes the provisions of section 3, 4, 5, 7, 8, 9, 10 or sub-section (2) of section 11 shall be punishable with imprisonment for a term which may extend to three years, or with fine which may extend to five thousand rupees, or with both.

Penalty.

(2) Any person who contravenes the provisions of section 6 or sub-section (1) of section 11 shall be punishable with imprisonment for a term which shall not be less than six months but which may extend to three years and with fine which shall not be less than two thousand rupees:

Provided that the court may, for any adequate and special reasons to be mentioned in the judgment, impose a sentence of imprisonment for a term which shall not be less than three months but which may extend to two years and with fine which shall not be less than one thousand rupees.

Cognizance

21. (1) Save as otherwise provided in section 173 of the Code of Criminal Procedure, 1973, no court shall take cognizance of any offence punishable under this Act except upon a complaint in writing made by—

2 of 1974

(a) a person authorised in this behalf under sub-section (1) of section 20 of the Prevention of Food Adulteration Act, 1954;

3 of 1954

(b) an officer not below the rank of a Class I officer authorised in this behalf, by general or special order, by the Government; or

(c) a representative of such voluntary organisation engaged in the field of child welfare and development and child nutrition as the Government may, by notification in the Official Gazette, authorise in this behalf.

(2) Where a complaint has been made by a representative of the voluntary organisation authorised under clause (c) of sub-section (1) and the court has issued a summons or, as the case may be, a warrant under sub-section (1) of section 204 of the Code of Criminal Procedure, 1973, the Assistant Public Prosecutor for that court shall take charge of the case and conduct the prosecution.

2 of 1974

Offences
by com-
panies.

22. (1) Where an offence under this Act has been committed by a company, every person who, at the time the offence was committed, was in charge of, and was responsible to, the company, for the conduct of the business of the company, as well as the company, shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly:

Provided that nothing contained in this sub-section shall render any such person liable to any punishment, if he proves that the offence was committed without his knowledge or that he had exercised all due diligence to prevent the commission of such offence.

(2) Notwithstanding anything contained in sub-section (1), where any offence under this Act has been committed by a company and it is proved that the offence has been committed with the consent or connivance of, or is attributable to any neglect on the part of, any director, manager, secretary or other officer of the company, such director, manager, secretary or other officer shall be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

Explanation.—For the purposes of this section,—

(a) “company” means any body corporate and includes a firm or other association of individuals; and

(b) “director”, in relation to a firm, means a partner in the firm.

2 of 1974.

23. (1) Notwithstanding anything contained in the Code of Criminal Procedure, 1973, an offence punishable under this Act shall be bailable.

Offences to be cognizable and bailable.

(2) An offence punishable under this Act shall be cognizable.

24. No suit, prosecution or other legal proceeding shall lie against the Central Government or any State Government or any officer of the Central Government or of any State Government for anything which is in good faith done or intended to be done under this Act.

Protection of action taken in good faith.

25. The provisions of this Act or the rules made thereunder shall be in addition to, and not in derogation of, the Prevention of Food Adulteration Act, 1954, or the rules made thereunder.

Application of Act 37 of 1954 not barred.

26. (1) The Central Government may, by notification in the Official Gazette, make rules to carry out the provisions of this Act.

Power to make rules.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:—

(a) the conditions and restrictions subject to which educational equipment and other material may be donated or distributed under the proviso to clause (b) of section 5;

(b) the language in which the notice and other particulars referred to in sub-section (1) of section 6 shall be indicated;

(c) the particulars which are to be indicated under clause (i) of sub-section (1) of section 6;

(d) the particulars which a container or label shall not bear under clause (d) of sub-section (2) of section 6;

(e) the matters to be included in the information which reaches pregnant women or mothers of infants under clause (g) of sub-section (1) of section 7;

(f) any other matter which is required to be, or may be, prescribed.

(3) Every rule made under this Act shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

STATEMENT OF OBJECTS AND REASONS

Every child has a right to be adequately nourished as a means of attaining and maintaining health. Infant malnutrition is a major contributory cause of high incidence of infant mortality and physical and mental handicaps. The health of infants and young children cannot be isolated from the health and nutrition of women. The mother and her infant form a biological unit. Breast-feeding is an integral part of the reproductive process. It is the natural and ideal way of feeding the infant and provides a unique biological and emotional basis for healthy child development. The anti-infective properties of mother's milk protect infants against diseases. The effect of breast-feeding on child spacing, on the health and well-being of the mother, on family health, on family and national economy and on food production is well-recognised. Breast-feeding is, therefore, a key aspect of self-reliance and primary health care. It is, therefore, essential to protect and promote breast-feeding and to protect pregnant women and nursing mothers from any influence that could disrupt it.

2. Inappropriate feeding practices lead to infant malnutrition, morbidity and mortality in our children. Promotion of infant milk food and related products like feeding bottles and teats do constitute a health hazard. Promotion of infant milk foods and related products has been more extensive and pervasive than the promotion of information concerning the advantages of mother's milk and breast-feeding, and contributes to decline in breast-feeding. In the absence of strong interventions designed to protect, promote and support breast-feeding, this decline can assume dangerous proportions subjecting millions of infants to greater risks of infections, malnutrition and death.

3. In the light of the foregoing considerations, and in view of the vulnerability of infants in the early months of life to the aforesaid risks and the risks involved in inappropriate feeding practices, including the unnecessary and improper use of infant milk foods, feeding accessories and infant foods, it has become necessary to regulate the marketing of such products. For the proper nutrition and health of the world's children, the World Health Assembly adopted in May, 1981, an International Code of Marketing of Breast Milk Substitutes. The Government of India recognised this code and adopted the "Indian National Code for Protection and Promotion of Breast-Feeding" (hereinafter referred to as the Code) in December, 1983.

4. The Code envisages that there shall be no advertising or other form of sales promotion of infant milk foods, feeding bottles and teats. The Code, in accordance with this general principle, enjoins the health authorities to encourage and protect breast-feeding and also prescribes several measures to control the marketing and promotion of infant milk foods, feeding bottles, teats and infant foods.

5. The Bill proposes to give effect to the principles and aims of the Code. Accordingly, it prohibits advertisements of infant milk foods and feeding bottles and also prescribes measures to ensure that in the market-

ing of infant milk foods, no impression is given that feeding of these products is equivalent to, or better than, breast-feeding. The provisions relating to labelling and quality control of infant milk foods, feeding bottles and infant foods are proposed to be implemented through the concerned Departments in the State Governments and Union Territory Administrations under the overall control of the Ministry of Health and Family Welfare. Contravention of the provisions of the Bill will be punishable with imprisonment for a term which may extend to three years or with fine which may extend to five thousand rupees or with both. However, the contravention of certain provisions of the Bill relating to labelling or quality control of such foods will be punishable with imprisonment for a term which shall not be less than six months but which may extend to three years and with fine which shall not be less than two thousand rupees.

6. The Bill seeks to achieve the above objects.

NEW DELHI;

RAMJI LAL SUMAN.

The 4th January, 1991

FINANCIAL MEMORANDUM

Clause 12 of the Bill provides that any food inspector appointed under section 9 of the Prevention of Food Adulteration Act, 1954, or any officer not below the rank of a Class I officer authorised by the State Government may, if he has any reason to believe that any provision of clause 6 or clause 11 has been or is being contravened, enter and search at any reasonable time any factory, building, business premises, etc., where such contravention has been or is being done.

2. Clause 13 of the Bill empowers any food inspector or the officer so authorised to seize any infant milk food or feeding bottle or infant food or container thereof in respect of which the provisions of the Bill have been or are being contravened and retain it for a period not exceeding ninety days from the date of the seizure under that clause.

3. The implementation of the above provisions of the Bill will not require any additional staff by the Central Government, since the said provisions will be implemented through the machinery available in the concerned States and Union territories and dealing with the administration of the Prevention of Food Adulteration Act, 1954.

4. The provisions of the Bill, therefore, do not involve any additional expenditure of a recurring or non-recurring nature.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 26 of the Bill empowers the Central Government to make rules, by notification in the Official Gazette, to carry out the provisions of the proposed legislation. The rules may be made, inter alia, to prescribe the conditions and restrictions subject to which educational equipment and other material relating to infant milk food or infant food may be donated or distributed, the language in which the notice and other particulars shall be indicated on a container of infant milk food or any label affixed thereto, the particulars which should be indicated on such container or the label affixed thereto, the particulars which such container or label shall not bear and the matters to be included in the information which reaches pregnant women or mothers of infants.

2. The matters in respect of which rules may be made under clause 26 are essentially matters of detail or procedure. The delegation of legislative power is, therefore, of a normal character.

BILL NO. 2 OF 1991

A Bill to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of the State of Assam for the services of the financial year 1990-91.

BE it enacted by Parliament in the Forty-first Year of the Republic of India as follows:—

Short
title.

1. This Act may be called the Assam Appropriation Act, 1991.

Issue of
Rs. 32,85,
58,000
from and
out of
the Con-
solida-
ted Fund
of the
State
of Assam
for the
year
1990-91.

2. From and out of the Consolidated Fund of the State of Assam there may be paid and applied sums not exceeding those specified in column 3 of the Schedule amounting in the aggregate to the sum of thirty-two crores, eighty-five lakhs and fifty-eight thousand rupees towards defraying the several charges which will come in course of payment during the financial year 1990-91, in respect of the services specified in column 2 of the Schedule.

Appro-
priation.

3. The sums authorised to be paid and applied from and out of the Consolidated Fund of the State of Assam by this Act shall be appropriated for the services and purposes expressed in the Schedule in relation to the said year.

THE SCHEDULE
(See sections 2 and 3)

1	2	3		
No. of Vote/ Ap- pro- pria- tion	Services and purposes	Sums not exceeding		
		Voted by Parliament	Charged on the Consoli- dated Fund	Total
		Rs.	Rs.	Rs.
6	Land Revenue and Land Ceiling Revenue	1,42,36,000	..	1,42,36,000
10	Other Fiscal Services . . . Revenue	2,10,000	..	2,10,000
11	Secretariat and Attached Offices Revenue	16,00,000	..	16,00,000
14	Police Revenue Capital	18,73,34,000 60,00,000	1,57,000 ..	18,74,91,000 60,00,000
17	Administrative and Functional Buildings Capital	1,36,20,000	..	1,36,20,000
20	Civil Defence and Home Guards Revenue	20,00,000	..	20,00,000
26	Education Revenue	14,65,000	..	14,65,000
29	Medical and Public Health . . Revenue	12,00,000	65,000	12,65,000
32	Housing Schemes Revenue	83,74,000	..	83,74,000
33	Residential Buildings . . . Capital	19,55,000	..	19,55,000
34	Urban Development . . . Capital	19,74,000	..	19,74,000
37	Food, Storage, Warehousing and Civil Supplies . . . Revenue	39,00,000	..	39,00,000
38	Welfare of Scheduled Castes/ Scheduled Tribes and Other Backward Classes Revenue	2,00,000	..	2,00,000
39	Social Security, Welfare and Nutrition Revenue	10,00,000	..	10,00,000
48	Agriculture Revenue	..	2,31,000	2,31,000
58	Industries Revenue	8,05,70,000	..	8,05,70,000
59	Sericulture and Weaving . . Revenue	..	40,000	40,000
64	Roads and Bridges Revenue	..	4,93,000	4,93,000
67	Assam Capital Construction Capital	..	19,34,000	19,34,000
	TOTAL . . .	32,56,38,000	29,20,000	32,85,58,000

STATEMENT OF OBJECTS AND REASONS

This Bill is introduced in pursuance of article 204(1) and 205 of the Constitution and the Proclamation issued under article 356 of the Constitution in respect of the State of Assam on the 27th November, 1990 to provide for the appropriation out of the Consolidated Fund of the State of Assam of the moneys required to meet the supplementary expenditure charged on the Consolidated Fund of the State of Assam and the grants made by the Lok Sabha for expenditure of the Government of Assam for the financial year 1990-91.

YASHWANT SINHA.

PRESIDENT'S RECOMMENDATION UNDER ARTICLE 207 OF
THE CONSTITUTION OF INDIA

[Copy of letter No. F. 4(85)-B(S)/90, dated the 26th December, 1990 from Shri Yashwant Sinha, Minister of Finance to the Secretary-General, Lok Sabha.]

The President, having been informed of the subject matter of the proposed Bill to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of the State of Assam for the services of the financial year ending on the 31st day of March, 1991, recommends under clauses (1) and (3) of article 207 of the Constitution read with clause (2) of article 205 thereof and the Proclamation dated the 27th November, 1990 issued under article 356, the introduction of the Assam Appropriation Bill, 1990 in Lok Sabha and also the consideration of the Bill.

2. The Bill will be introduced in Lok Sabha after all the Supplementary Demands for Grants for 1990-91 have been voted.

BILL NO. 1 OF 1991

A Bill to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of India for the services of the financial year 1990-91.

BE it enacted by Parliament in the Forty-first Year of the Republic of India as follows:—

- | | |
|---|--|
| 1. This Act may be called the Appropriation Act, 1991. | Short title. |
| 2. From and out of the Consolidated Fund of India there may be paid and applied sums not exceeding those specified in column 3 of the Schedule amounting in the aggregate to the sum of two thousand, one hundred and forty-three crores and thirty lakh rupees towards defraying the several charges which will come in course of payment during the financial year 1990-91, in respect of the services specified in column 2 of the Schedule. | Issue of Rs. 2143, 30,00,000 out of the Consolidated Fund of India for the year 1990-91. |
| 3. The sums authorised to be paid and applied from and out of the Consolidated Fund of India by this Act shall be appropriated for the services and purposes expressed in the Schedule in relation to the said year. | Appropriation. |

THE SCHEDULE

(See sections 2 and 3)

1	2	3		
		Sums not exceeding		
No. of Vote	Services and purposes	Voted by Parliament	Charged on the Consolidated Fund	Total
		Rs.	Rs.	Rs.
1	Agriculture . . . Revenue	1,00,000	..	1,00,000
2	Other Services of Department of Agriculture and Co-operation . . . Revenue	2,00,000	..	2,00,000
6	Ministry of Civil Aviation . . . Revenue	1,00,000	..	1,00,000
7	Department of Commerce . . . Revenue	300,00,00,000	..	300,00,00,000
23	Ministry of External Affairs . . . Revenue	1,00,000	..	1,00,000
	Capital	21,96,00,000	..	21,96,00,000
26	Payments to Financial Institutions . . . Capital	400,00,00,000	..	400,00,00,000
29	Transfers to State Governments . . . Capital	..	1000,00,00,000	1000,00,00,000
38	Department of Civil Supplies . . . Capital	3,85,00,000	..	3,85,00,000
42	Ministry of Home Affairs . . . Revenue	1,00,000	..	1,00,000
44	Police . . . Revenue	100,00,00,000	..	100,00,00,000
	Capital	50,00,00,000	..	50,00,00,000
47	Department of Education . . . Revenue	1,00,000	..	1,00,000
58	Ministry of Parliamentary Affairs . . . Revenue	23,00,000	..	23,00,000
61	Department of Chemicals and Petro-chemicals . . . Capital	1,00,00,000	..	1,00,00,000
65	Department of Science and Technology . . . Revenue	..	27,00,000	27,00,000
68	Department of Steel . . . Capital	185,32,00,000	..	185,32,00,000
69	Department of Mines . . . Capital	61,38,00,000	..	61,38,00,000
71	Roads . . . Capital	1,00,000	..	1,00,000
72	Ports, Lighthouses and Shipping . . . Revenue	18,00,00,000	..	18,00,00,000
79	Ministry of Welfare . . . Revenue	3,00,000	..	3,00,000
80	Atomic Energy . . . Revenue	..	3,00,000	3,00,000

1	2	3		
No. of Vote	Services and purposes	Sums not exceeding		
		Voted by Parliament	Charged on the Consoli- dated Fund	Total
		Rs.	Rs.	Rs.
82	Department of Elec- tronics . . . Revenue Capital	1,00,000	..	1,00,000
		27,00,000	..	27,00,000
86	Rajya Sabha . . . Revenue	87,00,000	..	87,00,000
	TOTAL .	1143,00,00,000	1000,30,00,000	2143,30,00,000

STATEMENT OF OBJECTS AND REASONS

This Bill is introduced in pursuance of article 114(1) of the Constitution of India, read with article 115 thereof, to provide for the appropriation out of the Consolidated Fund of India of the moneys required to meet the Supplementary expenditure charged on the Consolidated Fund of India and the grants made by the Lok Sabha for expenditure of the Central Government, excluding Railways, for the financial year 1990-91.

YASHWANT SINHA.

PRESIDENT'S RECOMMENDATION UNDER ARTICLE 117 OF
THE CONSTITUTION OF INDIA

[Copy of letter No. F. 4 (57)-B(SD)/90-Part-II, dated the 24th December, 1990 from Shri Yashwant Sinha, Minister of Finance to the Secretary-General, Lok Sabha.]

The President, having been informed of the subject matter of the proposed Bill to authorise appropriation of certain further sums from and out of the Consolidated Fund of India for the services of the financial year ending on the 31st day of March, 1991, recommends the introduction of the Appropriation Bill, 1991 in Lok Sabha and also recommends to Lok Sabha the consideration of the Bill under article 117(1) and (3) of the Constitution read with article 115(2) thereof.

2. The Bill will be introduced in Lok Sabha after all the Supplementary Demands for Grants for 1990-91 have been voted.

BILL NO. 4 OF 1991

A Bill to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of the State of Jammu and Kashmir for the services of the financial year 1990-91.

Be it enacted by Parliament in the Forty-first Year of the Republic of India as follows:—

1. This Act may be called the Jammu and Kashmir Appropriation Act, 1991.

Short
title.

2. From and out of the Consolidated Fund of the State of Jammu and Kashmir there may be paid and applied sums not exceeding those specified in column 3 of the Schedule amounting in the aggregate to the sum of one hundred and twenty-eight crores, seventy-one lakhs and eighty-nine thousand rupees towards defraying the several charges which will come in course of payment during the financial year 1990-91, in respect of the services specified in column 2 of the Schedule.

Issue of
Rs. 128,71,
89,000
from and
out of the
Consoli-
dated
Fund
of the
State of
Jammu
and
Kashmir
for the
year
1990-91.

3. The sums authorised to be paid and applied from and out of the Consolidated Fund of the State of Jammu and Kashmir by this Act shall be appropriated for the services and purposes expressed in the Schedule in relation to the said year.

Appropri-
ation.

THE SCHEDULE
(See sections 2 and 3)

1	2	3		
		Sums not exceeding		
No. of vote/ Ap-pro-pria-tion	Services and purposes	Voted by Parliament	Charged on the Consoli-dated Fund	Total
		Rs.	Rs.	Rs.
1	General Department . . . Revenue	61,23,000	4,39,000	65,62,000
2	Home Department . . . Revenue	17,28,46,000	73,000	17,29,19,000
3	Planning Department . . . Revenue	46,38,000	..	46,38,000
4	Information Department . . Revenue	35,90,000	..	35,90,000
5	Ladakh Affairs Department . Revenue	7,37,97,000	..	7,37,97,000
6	Power Development Depart-ment Revenue	1,25,17,000	..	1,25,17,000
7	Education Department . . Revenue	24,05,35,000	..	24,05,35,000
9	Parliamentary Affairs Depart-ment Revenue	8,44,000	..	8,44,000
10	Law Department . . . Revenue	21,78,000	3,68,000	25,46,000
11	Industries and Commerce De-partment Revenue Capital	12,80,17,000 3,90,56,000	10,45,000 ..	12,90,62,000 3,90,56,000
12	Agriculture and Rural Deve-lopment Department . . Revenue Capital	3,14,27,000 1,10,46,000	3,14,27,000 1,10,46,000
13	Animal Husbandry Depart-ment Revenue	3,24,93,000	..	3,24,93,000
14	Revenue Department . . . Revenue	9,57,48,000	..	9,57,48,000
15	Food Supplies and Transport Department . . . Revenue	99,33,000	..	99,33,000
16	Public Works Department . . Revenue Capital	1,88,69,000 10,65,00,000	1,88,69,000 10,65,00,000
17	Health and Medical Educa-tion Department . . . Revenue	8,89,29,000	15,000	8,89,44,000
18	Social Welfare Department . Revenue	5,74,21,000	..	5,74,21,000
19	Housing and Urban Develop-ment Department . . . Revenue Capital	8,88,000 3,51,82,000	8,88,000 3,51,82,000
20	Tourism Department . . . Revenue	13,46,000	..	13,46,000
21	Forest Department . . . Revenue	1,17,85,000	..	1,17,85,000
22	Irrigation and Flood Control Department Revenue	1,00,34,000	..	1,00,34,000

1 No. of Vote/ Ap- pro- pria- tion	2 Services and purposes	3 Sums not exceeding		
		Voted by Parliament	Charged on the Consoli- dated Fund	Total
		Rs.	Rs.	Rs.
23	Public Health Engineering Department Revenue	2,47,18,000	..	2,47,18,000
24	Estates, Hospitality and Pro- tocol and Gardens and Parks Department . . . Revenue	18,74,000	..	18,74,000
25	Labour, Stationery and Prin- ting Department . . . Revenue	66,93,000	..	66,93,000
26	Fisheries and Wildlife Depart- ment Revenue	36,95,000	..	36,95,000
27	Higher Education Depart- ment Revenue	5,25,27,000	..	5,25,27,000
	TOTAL	128,52,49,000	19,40,000	128,71,89,000

STATEMENT OF OBJECTS AND REASONS

This Bill is introduced in pursuance of sections 81(1) and 82 of the Constitution of Jammu and Kashmir and the Proclamation issued under article 356 of the Constitution of India in respect of the State of Jammu and Kashmir on the 18th July, 1990 to provide for the appropriation out of the Consolidated Fund of the State of Jammu and Kashmir of the moneys required to meet the supplementary expenditure charged on the Consolidated Fund of the State of Jammu and Kashmir and the grants made by the Lok Sabha for expenditure of the Government of Jammu and Kashmir for the financial year 1990-91.

YASHWANT SINHA.

PRESIDENT'S RECOMMENDATION UNDER SECTION 84 OF THE CONSTITUTION OF JAMMU AND KASHMIR

[Copy of letter No. F. 4(76)-B(S)/90, dated the 27th December, 1990 from Shri Yashwant Sinha, Minister of Finance to the Secretary-General, Lok Sabha.]

The President, having been informed of the subject matter of the proposed Bill to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of the State of Jammu and Kashmir for the services of the financial year ending on the 31st day of March, 1991, recommends under sub-section (1) and (3) of section 84 of the Constitution of Jammu and Kashmir read with sub-section (2) of section 82 thereof and the Proclamation dated the 18th July, 1990 issued under article 356 of the Constitution, the introduction of the Jammu and Kashmir Appropriation Bill, 1991 in Lok Sabha and also the consideration of the Bill.

2. The Bill will be introduced in Lok Sabha after all the Supplementary Demands for Grants for 1990-91 have been voted.

K. S. RASTOGI,
Secretary-General.